For the full participation of Quebecers from cultural communities

Towards a government policy to fight against racism and discrimination

Summary of the consultation document

Québec

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June 2006

Note to readers:

This document summarizes the orientations and strategic choices proposed to develop a government policy to fight against racism and discrimination. Organizations and individuals who wish to participate in the consultation must read the consultation document, which presents in greater detail the concepts, the situation prevalent in Québec, the assessment of government interventions, and the questions intended to feed public thinking.

This document was prepared by the Direction générale des relations interculturelles and produced by the Direction des affaires publiques et des communications of the Ministère de l'Immigration et des Communautés culturelles.

Note: This text generally uses the expression "cultural community" because it is inclusive. It refers to immigrants, visible minorities, and individuals born in Québec with neither French nor British origins. Some parts of the text use the terms "immigrants" and "visible minorities" when the individuals referred to by these terms are more specifically concerned. Within the meaning of the *Employment Equity Act*, members of visible minorities are "persons, other than aboriginal peoples, who are non-Caucasian in race or non-white in colour ." According to the *2001 Census Dictionary*, are members of visible minorities, the Chinese, South Asians, Blacks, Filipinos, Latin Americans, Southeast Asians, Arabs, West Asians, Japanese and Koreans, among others.

All terms referring to individuals are generic and refer to both genders.

To obtain copies of the document (in French or in English):

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A word from the Minister of Immigration and Cultural Communities

The Quebec government has worked for several years to facilitate the integration and full participation of citizens of all origins by ensuring equal opportunity and respecting differences. It has made a priority of building a pluralistic and inclusive society. The public consultation that will be held this autumn will be an opportunity to reaffirm this commitment. It will stimulate thinking on the principal problems associated with racism and discrimination and on the solutions likely to prevent them. From this exercise will emerge the guidelines for the government policy against racism and discrimination, a fight that we want both effective and authentic.

The Quebec government wishes to consult the different stakeholders dedicated to the fight against racism and discrimination. They include citizens who wish to express themselves on this issue, representatives of cultural communities and community groups or corporations, institutions and organizations from all sectors of society, especially those from the economic, health, education, justice and public security sectors. Given the demographic challenge that Québec faces with its aging population, and society's choice to increase immigration levels in order to respond to this challenge, the proportion of immigrants and individuals belonging to cultural communities, in particular visible minorities, will increase. This, however, requires that we be ready to live in an increasingly diverse society that is open to the world, and that we work even harder together to make sure that everyone finds his place and flourishes. Whether in Montreal, Quebec City or the regions, the implementation of a genuine policy to fight against racism and discrimination as well as the changes that it will bring to society, are essential for the future of Québec.

I therefore invite you to read the consultation document prepared in order to nourish your thoughts on the subject. It documents the situation and proposes orientations to guide our actions.

I hope that this consultation will enable us to make progress together in understanding the broad issues associated with the fight against racism and discrimination in Quebec. It is also to be hoped that this consultation will convince all Quebecers of the need to do their utmost so that immigrants and Quebecers from cultural communities participate fully in Quebec society and that intercultural relations are harmonious.

The Minister of Immigration and Cultural Communities

Lise Thériault

Lise Thériault

Montréal, June 2006

Preliminary remarks

The future policy that Québec wants to adopt targets racism and discrimination based on "race,"[1] colour, ethnic or national origin and religion against immigrants or individuals from cultural communities and visible minorities. It does not target all forms of discrimination. The expression "cultural communities" implies no presumption as to the identification with a community of the likely victims of prejudice or discrimination due to their origins. These individuals may very well identify themselves as Quebecers and still be exposed to negative attitudes.

Aboriginals are not targeted by this future policy. Although they can be affected by prejudice and discrimination, just like individuals from cultural communities and visible minorities, and they can benefit from measures implemented under the policy, solutions to the problems confronting them must be considered in a broader perspective that goes beyond the scope of this public consultation.

This consultation is in keeping with the logic of past government actions. The Québec government subscribes to international commitments on human rights, in particular the International Convention on the Elimination of All Forms of Racial Discrimination, and in this context has implemented numerous measures to fight prejudice and discrimination. In 1975, it adopted a Charter of Human Rights and Freedoms that establishes the right to equality and prohibits discrimination based on "race," colour, ethnic or national origin, and religion among other grounds. It also set up a Commission to enforce and promote the Charter.

Numerous government measures have already been implemented to fight against racism and discrimination. The future policy should confirm explicitly the unofficial government policy underlying the actual orientations of its actions and provide for better coordination and consistency of these actions.

Concepts used

Racism has several dimensions. It can be defined as the set of ideas, attitudes and actions that aim to belittle individuals from ethnocultural minorities on the social, economic and political level, thereby preventing them from participating fully in society.

Prejudice is a preconceived opinion based on stereotypes. It is a usually unfavorable judgment held by one individual about another individual that he doesn't know, attributing to him the characteristics attached to the group to which he belongs.

[1] The notion of "race" was abandoned about fifty years ago by scientists. In fact, no human population is perfectly homogenous on the biological level, differences within populations themselves being even broader than these that exist between the various populations. This is why scientists say that the human species shows a profound biological unity. For this reason, we always put the term "race" in quotes. Nowadays, biologists speak of "population" while sociologists use the terms "population," "ethnic group" or "nation." Since people are socially categorized on the basis of their colour and often end up identifying with it, sociologists also speak of "racized groups" or "racialized groups."

Discrimination is a distinction, exclusion or preference based on grounds prohibited by the Québec Charter of Human Rights and Freedoms which has the effect of destroying or jeopardizing the exercise of these rights and freedoms. These grounds are: "race", colour, sex, pregnancy, sexual orientation, civil status, age except as provided by law, religion, political convictions, language, ethnic or national origin, social condition, a handicap or use of any means to palliate a handicap. Discrimination can appear as much by exclusion as by harassment or unfavorable treatment.

Harassment is a particular form of discrimination. It may manifest itself, with respect to a person or group of persons, through words, deeds or repeated gestures of a vexatious or scornful nature. A single serious deed resulting in a continuous harmful effect may also constitute harassment.

Direct discrimination[2] occurs when the distinction, exclusion or preference is based clearly on one of the grounds prohibited by the Québec Charter of Human Rights and Freedoms. For example, an employer who refuses to hire a Black person solely because he is Black is practicing direct discrimination.

Indirect discrimination arises from the application of a practice that is apparently neutral and applicable to everyone but which has prejudicial effects on groups defined on the basis of the discriminatory grounds prohibited by the Charter. For example, setting a tall height for access to certain trades for a reason unrelated to the nature of the work, discriminates indirectly against women and cultural communities who, on average, are shorter. No intention to discriminate is at issue here. The discrimination arises from arbitrary norms and practices often inherited without critical examination from earlier eras. An analysis of practices is necessary to identify it.

We speak of **systemic discrimination** when diverse practices, decisions or behaviours combine with other practices within an organization or those of other social institutions to produce discrimination[3]. The discriminatory practices are, therefore, mutually reinforcing links in chains sometimes long and complex. The responsibility cannot be attributed to a specific element. Direct discrimination, indirect discrimination and systemic discrimination can also combine and reinforce economic or social exclusion.

Assessment of the situation in Québec

It is not easy to draw a picture of the situation in Québec and measure the scope of racism and discrimination. Racist ideology based on biology has largely disappeared. Its followers are marginal today and are not part of the Québec political landscape. Despite this marginality, however, vigilance is required. Neo-Nazi movements enjoyed a certain resurgence towards the end of the 1980s. Even today, people let themselves be influenced by certain supposedly scientific works that affirm, despite all the studies showing the contrary, that certain populations are inferior due to their genetic or biological

[2] The distinction between the diverse forms of discrimination has lost its relevance since the Supreme Court ruled that discrimination can be defined from the discriminatory effect. However, these notions illustrate diverse facets of the process, showing that it can come from individual intentions motivated by prejudice, practices internal to organizations, the combination of multiple internal practices or internal practices associated with those of other organizations. Hence, discrimination goes beyond racism as such.

[3] Bosset, P. 2004. *Les mesures législatives de lutte contre la discrimination raciale au Québec : un bilan institutionnel.* Commission des droits de la personne et des droits de la jeunesse du Québec. Cat. 2.500.116.

characteristics. Always liable to resurface and appear as hate crimes[4], racism must be taken into account by the public authorities.

Direct discrimination is often hidden due to the illegality of its actions. Indirect or systemic discrimination, arising from structural barriers internal to organizations, is revealed only through analysis. The effects of discrimination are just as difficult to measure. Available data is scarce and debatable. For example, while prejudice and discrimination have a certain effect on the unemployment rate of the cultural communities that are its victims, they are not the only factors at play.

Perceptions of the situation

Nonetheless, some scholars estimate that discrimination is the greatest obstacle to the integration of immigrants[5]. According to a study done in June 2005 for the Ministère de l'Immigration et des Communautés culturelles, one Quebecer in five from cultural communities said he was the object of discriminatory acts during the year preceding the survey[6].

According to the *Ethnic Diversity Survey*[7], individuals from all visible minorities across Canada feel they are victims of discrimination or unjust treatment. Hindus, Muslims, Buddhists, Sikhs and Jews also declared that they had been victims of discrimination. With the exception of Jews, almost all of these respondents also belong to visible minorities.

According to the same survey, second-generation immigrants express the feeling of being victims of discrimination more often than first-generation immigrants, no matter how long the latter have been settled in Canada. The obstacles encountered cannot be attributed to the migration process since they were educated in Canada and are fluent in one or both official languages. Difficulties finding a job matching their qualifications or finding housing, for example, are therefore interpreted in terms of prejudice and discrimination.

Consequences of prejudice and discrimination

In general, prejudice, stereotypes and discrimination contribute to the dehumanization of individuals. They hinder the development of their sense of belonging to Québec and contribute to the development of identities based on community membership, a result that is attributed, sometimes wrongly, to immigrants. Thus, Black, Arab, Latino, and Asian

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[4] A hate crime is a criminal offence against a person or group, motivated by hatred or prejudice. Visible minorities, ethnocultural and religious groups and sexual minorities are the principal groups targeted by hate crimes.

[5] Frideres, J. S. 2005. « Ethnogenèse : L'origine ethnique des immigrants et le développement des clivages sociaux qui y sont associés ». *Thèmes canadiens*, spring 2005, pp. 65-68.

[6] Jolicoeur et associés. 2005. *Sondage sur l'état des relations interculturelles au Québec*. Report prepared for the Ministère de l'Immigration et des Communautés culturelles.

[7] The *Ethnic Diversity Survey* was done in 2002 by Statistics Canada for the Canadian Heritage Minister. The sample included about 42,500 persons aged 15 and over in the ten provinces.

identities are developing in Québec while they hardly exist, or don't exist at all, in the country of origin[8].

At the symbolic level, cultural communities are excluded from the collective imagination. And yet, certain studies show that the founding and history of Québec were significantly marked by the immigration of people of diverse origins.

Guidelines for a future Québec policy to fight against racism and discrimination and challenges to overcome

Recognizing the phenomena of racism and discrimination is the first step toward finding solutions to the various problems related to it.

Several guidelines shape the development of the government policy to fight against racism and discrimination:

- Fighting against racism and discrimination requires a comprehensive and concerted approach and must include, beyond repressing racist violence and discrimination, a strategy to support the socio-economic integration of immigrants and individuals from cultural communities, to adapt institutions and to sensitize the general public on these matters.
- It must be linked to other government efforts to reduce social and economic inequality and deal with social issues shared by individuals from marginalized cultural communities and the Québec population in general, but which are often experienced in an ethnic or "racial" way.
- It must have a long-term aim of strengthening social solidarity between groups and individuals of all origins and the equal participation of individuals from cultural communities in public life on the basis of common values.
- It must include preventive actions.
- It requires a firm and structured government intervention and the commitment of all actors in society.

Anticipated orientations

A number of challenges face civil society and the government. An analysis of the situation leads us to propose three orientations: Coordinating efforts, Recognizing and fighting prejudice and discrimination and, finally, Renewing our practices and our institutions.

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[8] For the Arab community, see Eid, P. 2004. « Être " Arabe " à Montréal : réceptions et ré-appropriations d'une identité socialement compromise ». *Racisme et discrimination : Permanence et résurgence d'un phénomène inavouable*. Centre d'études ethniques des universités montréalaises. Université de Montréal. Les Presses de l'Université Laval. pp. 148-171; for Black communities, see Labelle, Salée, Frenette. *op. cit.* and Potvin, M. 1997. « Les jeunes de la deuxième génération haïtienne au Québec : entre la communauté " réelle " et la communauté " représentée " ». *Sociologie et sociétés*, vol. XXIX, n° 2, pp. 77-101.

Orientation 1: Coordinating efforts

> *The first challenge facing the Québec government is to ensure that efforts to fight prejudice and discrimination are consistent and complementary. The comments and analyses of front-line actors emphasize the* ad hoc *nature of many interventions, the relative inconsistency of their efforts, and the absence of leadership that affects the effectiveness of implemented measures. In addition, the documentation and monitoring of the situation concerning racism and discrimination requires the collaboration of stakeholders and front-line actors in all sectors of society. The first orientation,* ***Coordinating efforts****, favours the emergence of proposals aimed at strengthening government leadership in the fight against racism and discrimination and ensuring the monitoring of the situation in the field.*

Québec has made major advances in the social area since the mid-twentieth century. The great international movement that led to the adoption of charters, conventions and pacts to recognize and respect human rights contributed to building modern Québec. Social programs developed during the Quiet Revolution consolidated the social rights of diverse groups.

In recent years, public debates have taken place on the relevance of modifying government policies and programs in order to focus on the essential missions of government and provide public services that better meet the needs of citizens. This reflection on government policies and practices must include the dimensions of respect for human rights and management of diversity. The definition of a new social contract taking shape must be developed by and for all Quebecers without distinction as to their origin. The strength of the new social consensuses depends on the adherence of all citizens.

Institutions have sometimes been tardy in taking charge of ethnocultural diversity and have done so unequally depending on areas of activity and regions. The arrival of persons from cultures more remote from European cultures produced a culture shock not only for the public but also among front-line actors who felt ill-equipped when faced with this new reality. The awareness of the responsibilities of Québec society to welcome and integrate these new citizens has developed gradually.

The fight against prejudice and discrimination–direct, indirect or systemic–is a collective responsibility that requires much effort. It calls for documenting the situation, reviewing and rethinking practices in private and public institutions. It requires changing the organizational culture of numerous Québec institutions. It calls for Québec society as a whole to acknowledge the pluralistic reality of modern Québec in everyday life and to adopt an intervention framework to harmonize and make consistent the practices of various institutions. It represents a long-term effort for the social actors involved.

The efforts made by numerous actors in all domains of social life deserve to be emphasized, in education as much as in cultural life, the media, work, housing, community life and the defence of rights, health and social services, police services and the legal system, institutions dedicated to the promotion and well-being of women, families, young people, immigrants and individuals from cultural communities and sexual minorities. Interesting

initiatives have emerged. Depending on the nature of these initiatives, their effects have been sometimes major and structuring, sometimes *ad hoc* and of limited scope.

These initiatives were sometimes implemented by organizations acting alone to respond to their internal needs. They sometimes involved several organizations working in collaboration. They almost always responded to one-time needs and tense moments. Since the Québec population is diversifying, we must be more proactive and intensify preventive and concerted efforts.

Another observation stands out. The public perception of pluralism is not evolving as fast as the reality itself, partly because of an uneven diversification of the social fabric of living environments and regions, and of a cultural representation that is often partial if not anachronistic. Some continue to deny the existence of racism and discrimination or prefer to minimize it by comparing the situation in Québec to that prevailing elsewhere. Still others continue to consider all individuals from cultural communities as newcomers. And many continue to think, wrongly, that the responsibility for integrating immigrants rests entirely on the immigrants themselves and that institutional adaptation to diversity represents a threat to Québec culture or an unjustified effort.

Given the task ahead of us and the meager impact of dispersed efforts, the Québec government must now assume leadership in the fight against racism and discrimination. It must first involve civil society organizations more and expand partnerships with all actors concerned to ensure consistent and synergetic efforts. From this flows the first strategic choice, ***Involving civil society and expanding partnerships***.

To support the economic, social and cultural development of Québec and modernize the state apparatus, the Québec government must adequately document the situation and measure the phenomena associated with discrimination, including their scope, forms and dynamics. The second strategic choice, ***Evaluating and measuring discrimination*** is intended to meet this need.

The assessment of the situation prepared by the scholars, with insights provided by actors from public, private and community institutions, must enable the Québec government to reflect on its own practices and adjust to the new Québec reality. The third strategic choice is therefore entitled ***Stimulating and deploying government efforts***. In this perspective, all ministries and agencies must participate in a government action plan. This exercise can include exchanges with the diverse actors from civil society. The government initiatives can in turn serve as a model for other institutions. Québec society as a whole will emerge revitalized and better equipped to meet the challenges of the modern era.

Orientation 2: Recognizing and fighting prejudice and discrimination

> *The second challenge facing the government is to educate citizens on their rights and responsibilities and make them aware of the existence of prejudice and discrimination as well as the importance of avoiding them in Québec society. Although most Québec citizens having such prejudices are prepared to revise their opinions and change their attitudes once they are well informed, others continue to defend racist or racism-related behaviour on the pretext of freedom of opinion. The second orientation,* ***Recognizing and fighting prejudice and discrimination****, aims to stimulate thinking on measures necessary to fight prejudice, to disseminate more broadly a view of the world in accord with the modern values of rights and equality of Québec society, and to promote intercultural rapprochement.*

Prejudice and direct discrimination based on it are the first elements to address in the fight against racism and discrimination.

Québec is tolerant on the whole and its intercultural relations are generally marked by civility. However, prejudice and discrimination remain present, sometimes without people being aware of them.

In fact, most individuals do not recognize their opinions or practices under the labels of racism and discrimination. For some people, they stand to reason and very few question them spontaneously. For example, social and political pressures to give preference to "people from here" for jobs and promotions, access to housing, and in business relations, etc., may seem fair and rational. Nonetheless, they carry the seeds of exclusion and injustice. They are the first step towards a narrow and rigid definition of society's identity that leaves no room for the fulfillment of people who do not fit these narrow criteria. One of the major challenges we face with regard to prejudice and discrimination is the recognition of their current forms.

Prejudice and discrimination impose burdens, obligations and disadvantages on targeted persons and groups that are not imposed on other people, as well as limits and obstacles in accessing opportunities offered by society (housing, work, education, services) and restrictions on benefits and advantages offered to other members of the society.

Prejudice and discrimination are not of the same nature and require different types of intervention. Prejudice can be countered by education and increased awareness. The first strategic choice, ***Educating and raising awareness***, examines various means to reach these objectives. Increased awareness and education can prevent manifestations of prejudice and rejection attitudes. To be fruitful, however, this work must be followed by the establishment of real and harmonious intercultural relations. The second strategic choice, ***Promoting intercultural rapprochement***, provides support and complements sensitization and education.

Orientation 3: Renewing our practices and our institutions

> *The third challenge facing the government is to ensure real equality and the full participation of all citizens in the economic, social and cultural development of Québec by attacking direct, indirect and systemic discrimination and achieving a better representation of individuals from cultural communities in employment and in diverse institutions. This equality will be achieved only by improving mechanisms to enable the exercise of rights. The third orientation,* **Renewing our practices and our institutions**, *must lead to the emergence of solutions to eliminate any discrimination existing in Québec institutions and secure an adequate representation of Quebecers from all origins in public and private institutions.*

No Québec institution can be described as racist in the ideological sense of the term. This includes the police, the legal system, social services and schools. However, inappropriate attitudes or behaviour by certain members can exist. Long-established rules and procedures that have been perceived as normal and correct can also produce discriminatory effects without the institutions and persons involved being aware of it.

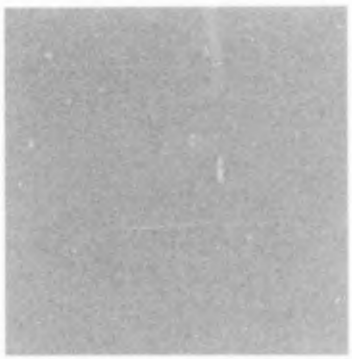
Pluralism has been an important feature of Québec reality for decades. The institutions must take this reality into account in their practices. The improvement of the apparatus and practices of government and their conformity with requirements of equality rights has been an important concern in Québec for several years. Adapting institutions to pluralism and managing diversity are also integral aspects of the modernization of public services and of services that take into account the cultural characteristics of the clientele they are aimed at.

Private institutions are also affected by the adaptation of their practices and services. Diversity management brings added value to organizations.

The cooperation of all institutions is important in this perspective. Public and private employers and front-line public services all contribute to the exclusion of cultural communities when they do not assume this essential social responsibility. The fundamental function of employment and the inclusion of members of cultural communities at all institutional levels leads us to the first strategic choice, ***Providing access to employment***.

The actions necessary at the institutional level are first and foremost those aimed at making all employees aware of prejudice and the stereotypes in their environment, those that provide training in the rights and responsibilities of each individual and, more generally, those providing information on the ethnocultural reality of Québec. They also call for examining practices that contribute to the exclusion of cultural communities and the righting of unsatisfactory practices. They require the involvement of the managers of the institutions concerned. The second strategic choice, ***Integrating pluralism in the delivery of government services***, responds to these concerns.

The exercise of rights must also be facilitated for citizens who feel unjustly treated. Québec has 30 years of experience applying the Charter of Human Rights and Freedoms. However, it would be advantageous to re-evaluate the effectiveness of measures to fight against racism and discrimination. The third strategic choice, ***Improving respect for rights and their exercise***, aims to develop thinking and identify proposals in this area.



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